

AMENDED IN SENATE JUNE 27, 2003
AMENDED IN ASSEMBLY MAY 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 426

Introduced by Assembly Member Richman

February 14, 2003

An act to add Section 139 to the Water Code, relating to the State Water Project.

LEGISLATIVE COUNSEL'S DIGEST

AB 426, as amended, Richman. State Water Project: solar panels.

Under existing law, the Department of Water Resources operates the State Water Project.

This bill would require the department to establish a ~~program~~ *procedure* to authorize private entities to lease space above appropriate conveyance facilities of the State Water Project for the purposes of installing solar panels and generating electricity from those panels. *The bill would authorize the department to deny a lease request if the department determines that the proposed project would interfere with the operation of the State Water Project.* The bill would require the department to include certain conditions in the leases. The bill would authorize the department to ~~impose charges, for the purposes of carrying out these provisions, that reflect only the actual costs incurred by the department~~ *negotiate any level of compensation for an agreement for the installation of solar photovoltaic systems in accordance with the bill that is equal to, or greater than, the cost to the department to meet its obligations under the agreement.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that it is in
2 the interest of the state to conserve resources and to promote
3 projects that further that interest.

4 SEC. 2. Section 139 is added to the Water Code, to read:

5 139. (a) The department shall establish a ~~program~~ *procedure*
6 to authorize private entities to lease space above appropriate
7 conveyance facilities of the State Water Project for the purpose of
8 installing solar panels and generating electricity from those panels.
9 *Upon request, the department shall evaluate proposals for*
10 *installing solar photovoltaic systems. The cost of that evaluation*
11 *shall be paid by the requester.*

12 (b) *The department may deny a lease request if the department*
13 *determines that the proposed project would interfere with the*
14 *operation of the State Water Project.*

15 (c) The department shall include, but is not limited to, the
16 following conditions in a lease pursuant to this section:

17 (1) The solar panels shall be interconnected to the electric
18 transmission grid in accordance with applicable rules, orders, or
19 tariffs of the Public Utilities Commission.

20 (2) If the Independent System Operator declares a Stage 3
21 emergency regarding the electric system, the electricity generated
22 from the solar panels may not be sold out of state.

23 ~~(e)~~

24 (d) For the purposes of carrying out subdivision (a), the
25 ~~department may impose charges that reflect only the actual costs~~
26 ~~incurred by the department.~~ *department may negotiate any level*
27 *of compensation for an agreement for the installation of solar*
28 *photovoltaic systems in accordance with this section that is equal*
29 *to, or greater than, the cost to the department to meet its*
30 *obligations under the agreement.*